

10-08-04

B14
Pfau

Attorney's Docket No. 5577-215

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

O I P E S C
OCT 07 2004
PATENT & TRADEMARK OFFICE

In re: Callis et al.

Serial No.: 09/693,027

Filed: October 20, 2000

For: METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR
POLICY BASED DISTRIBUTION OF WORKLOAD TO SUBSETS OF
POTENTIAL SERVERS

Confirmation No.: 8047

Group Art Unit: 2144

Examiner: Lambert L. Tran

Date: October 7, 2004

MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO ACKNOWLEDGE AND CONSIDER PREVIOUSLY FILED
INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicants submitted an Information Disclosure Statement, Form PTO-1449, and 15 cited references (Appendix A) on September 13, 2004. This submission included a self-addressed return postcard, which was returned indicating receipt of the above items at the United States Patent and Trademark Office on September 15, 2004 (Appendix B). A Notice of Allowance for the present case was mailed on September 30, 2004. Thus, the Information Disclosure Statement dated September 13, 2004 was filed before the mailing date of the Notice of Allowance.

In light of the foregoing, Applicants request consideration of the Information Disclosure Statement of September 13, 2004, and return of an initialed form PTO-1449 indicating consideration of the Information Disclosure Statement of September 13, 2004.

It is not believed that a fee is required for the present petition. In the event, however, that a fee is necessary to allow consideration of this paper, the Commissioner is authorized to charge Deposit Account No. 09-0461.

Respectfully submitted,



Timothy J. O'Sullivan
Registration No. 35,632

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In re: Callis et al.
Serial No.: 09/693,027
Filed: October 20, 2000
Page 2 of 2



CERTIFICATE OF MAILING UNDER 37 CFR § 1.10

"Express Mail" mailing label number EV473657791US

Date of Deposit: October 7, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Traci A. Brown
Traci A. Brown

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: September 13, 2004



**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(d)**

Sir:

Attached is a list of documents on form PTO-1449 together with a copy of each identified document. This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier.

The Commissioner is authorized to charge the \$180.00 petition fee set forth in 37 C.F.R. § 1.17(i) as required by 37 C.F.R. § 1.92(d)(3) to IBM Deposit Account No. 09-0461. The Commissioner also is authorized to charge any additional fee or credit any refund to IBM Deposit Account No. 09-0461.

Respectfully submitted,

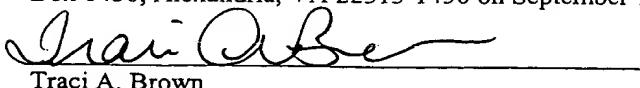
A handwritten signature of Timothy J. O'Sullivan.

Timothy J. O'Sullivan
Registration No. 35,632

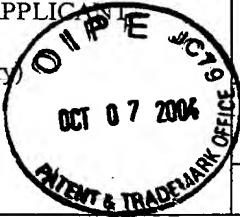
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on September 13, 2004.

A handwritten signature of Traci A. Brown.

Traci A. Brown

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office				Attorney Docket Number: 5577-215			Serial No. 09/693,027
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)							
				Applicants: Callis et al.			
				Filing Date: October 20, 2000		Group: 2144	
U. S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
1		6,587,866 B1	7/1/03	Modi et al.	709	105	
2		6,578,066 B1	6/10/03	Logan et al.	709	105	
3		6,446,225 B1	9/3/02	Robzman et al.	714	55	
4		6,330,560 B1	12/11/01	Harrison et al.	707	8	
5		6,286,039 B1	9/4/01	Van Horne et al.	709	221	
6		6,252,878 B1	6/26/01	Locklear, Jr. et al.	370	401	
7		6,247,057 B1	1/12/01	Barrera, III	709	229	
8		6,031,978	2/29/00	Cotner et al.	395	200.78	
9		5,941,988	8/24/99	Bhagwat et al.	713	201	
10		5,867,636	2/2/99	Walker	395	114	
11		5,754,752	5/19/98	Sheh et al.	395	182.02	
12		5,740,371	4/14/98	Wallis	395	200.59	
13		US2002/0091831 A1	7/11/02	Johnson	709	227	
14		US2002/0010783 A1	1/24/02	Primak et al.	709	229	
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation Yes No
15		EP0648038 A2	8/24/94	EPO	H04L	29/06	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							

EXAMINER
*EXAMINER

DATE CONSIDERED

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

M.S. Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

T80/H6 Date: 9/13/04

Doc. No. 5577-215

Serial No. 09/1693.021

Inventor: Callis et al

19-20-04 REC'D:

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

Application Transmittal and:

Specification pages _____

No. of Claims _____

Declaration & POA

Assignment and Fee

Small Entity Statement

Formal Drawings/ sheets

Associate Power of Attorney

Exp. Mail 1st Class Mail

Other: _____

Check \$ _____

IDS & PTO-1449 & 15 refs.

Amendment & Amend. Transmittal

Preliminary Amendment

Issue Fee

Brief

Appeal

Submittal of Priority Doc. SEP 15 2004



Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant